

INFORMATION SHEET

DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS

DISTRICT OFFICE: Detroit District

FILE NUMBER: 04-145-044-0

Date : October 13,
2004

**PROJECT REVIEW/DETERMINATION
COMPLETED:**

**In the office
(Y/N)**

N **Date**
:

**At the project
site (Y/N)**

Y **Date** : Aug
ust
11,
2004
04

PROJECT LOCATION INFORMATION:

State: Indiana

County: Lake

Center coordinates of site by latitude & longitude coordinates: lat:41-27-7.9920 lon:87-28-39.6840

Approximate size of site/property (including
uplands) in acres

Name of waterway or watershed: WETLANDS

Type of Aquatic Resource ¹ :	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear Feet	Unknown
Lake									
River									
Stream									
Mudflat									
Sandflat									
Wetlands			X						
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (identify type)									

¹Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors ¹	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?	X				
Is or would be used as habitat by other migratory birds that cross state lines?	X				
Is or would be used as habitat for endangered species?				X	
Is used to irrigate crops sold in interstate commerce?				X	
¹ Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.					

TYPE OF DETERMINATION: **Preliminary** **Or Approved X**

ADDITIONAL INFORMATION SUPPORTING NJD (e.g., paragraph 1 site conditions; paragraphs 2-3 rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 site information on waters of the U.S. occurring onsite):

Wetlands were isolated with no surface water connection to other waters. The field review determined that the wetlands within this property are surrounded by uplands. Approximately 4.67 acres of wetlands were considered isolated under the SWANCC decision.

Accepted Wetland Delineation Report from August 12, 2004.

Wetland ID	On-Site Acreage	Total Acreage	Isolated (Y/N)	Comments
Wetland I	3.60 acres	3.60 acres	Yes	Hydrologically Isolated
Wetland II	0.76 acres	0.76 acres	Yes	Hydrologically Isolated
Wetland III	0.31 acres	0.31 acres	Yes	Hydrologically Isolated
Total Acreage	4.67 acres	unknown		